

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE VASO ACTIVE PHARMACEUTICALS )  
SECURITIES LITIGATION )  
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Master Docket No. 04-10708-RCL

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This Document Relates To: )  
ALL ACTIONS )  
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FILED  
IN CLERKS OFFICE  
2005 JAN 27 P 2:04  
U.S. DISTRICT COURT  
DISTRICT OF MASS

**MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Pursuant to Local Rule 83.5.3, the undersigned counsel, Howard M. Smith, hereby moves that this Court enter an Order granting leave to Marc J. Ross and Richard J. Babnick Jr. of Sichenzia Ross Friedman Ference LLP, 1065 Avenue of the Americas, 21<sup>st</sup> Floor, New York, New York, to appear on behalf of defendant Kashner Davidson Securities Corp. and practice before this Court in the above-captioned action.

1. Mr. Ross was admitted to the bar of the State of New York in 1988. He has also been admitted to practice in the United States District Courts as of the years indicated: Southern District of New York (1988) and Eastern District of New York (1988).

2. There are no disciplinary proceedings pending against Mr. Ross as a member of the bar in any jurisdiction.

3. Mr. Ross has represented to the undersigned counsel that he is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

4. In further support of this motion, Mr. Ross has submitted herewith his Certificate of Good Standing as required by Local Rule 85.5.3.

5. Mr. Babnick was admitted to the bar of the State of New York in 1997. He has also been admitted to practice in the United States District Courts as of the years indicated: Southern District of New York (1998) and Eastern District of New York (1998).

6. There are no disciplinary proceedings pending against Mr. Babnick as a member of the bar in any jurisdiction.

7. Mr. Babnick has represented to the undersigned counsel that he is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

8. In further support of this motion, Mr. Babnick has submitted herewith his Certificate of Good Standing as required by Local Rule 85.5.3.

WHEREFORE, the undersigned counsel respectfully moves that Mr. Ross and Mr. Babnick be admitted to practice before this Court *pro hac vice*.

Dated: January 26, 2005

Respectfully submitted,



Howard M. Smith  
NEWMAN & SMITH  
One Gateway Center  
Newton, Massachusetts 02458  
(617) 965-9697

Attorneys for Defendant  
Kashner Davidson Securities Corp.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served upon all counsel of record by mail on January 20, 2005.



Howard M. Smith

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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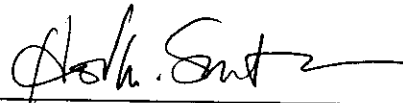
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**CERTIFICATION FOR MOTION TO ADMIT COUNSEL PRO HAC VICE**

Pursuant to Local Rule 7.1 (a) (2), the undersigned counsel, Howard M. Smith, having conferred with all counsel of record, hereby certifies that the within Motion to Admit Counsel Pro Hac Vice is filed with the consent of all counsel.

Kashner Davidson Securities Corp.  
By their attorney,



Howard M. Smith  
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